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15 *Attorneys for Plaintiffs*

16 UNITED STATES DISTRICT COURT
17 CENTRAL DISTRICT OF CALIFORNIA

18 COLUMBIA PICTURES
19 INDUSTRIES, INC., *et. al.*

20 Plaintiffs,

21 v.

22 GARY FUNG, *et. al.*

23 Defendants.
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Case No. CV-06-05578 SVW (JCx)

The Hon. Stephen V. Wilson

**DECLARATION OF MARK
ISHIKAWA PURSUANT TO THE
COURT'S AUGUST 25, 2009 RE
PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT ON
LIABILITY**

Date:

Time:

Ctrm: 6

DECLARATION OF MARK ISHIKAWA

I, Mark Ishikawa, hereby declare, under oath, as follows:

1. I am the CEO of BayTSP, Inc. ("BayTSP"), an anti-piracy company that, among other things, monitors online networks for infringing content. I have 10 years of experience working on and supervising a technical staff on anti-piracy issues. The anti-piracy work I supervise includes monitoring of infringing content on BitTorrent, and the BayTSP employees I supervise have extensive experience in monitoring, analyzing, and downloading files via BitTorrent. I am also familiar with BayTSP's business records relating to its anti-piracy activities. Further details of my professional history can be found on the attached hereto as Exhibit 1.

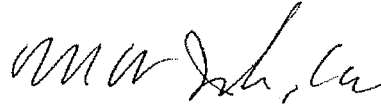
2. The statements made in this declaration are based on my personal knowledge. If called to testify as a witness, I would testify as follows:

3. In my duties as CEO of BayTSP, I have overseen work that BayTSP has done related to monitoring the availability online of pirated content available via BitTorrent. As part of this anti-piracy work, BayTSP personnel under my supervision downloaded the dot-torrent files identified by corresponding infohash on Exhibit 2. Each dot-torrent file points to a specific content file that is identified by the unique infohash value. For each of the dot-torrent files listed, BayTSP personnel under my supervision downloaded the associated content files and reviewed them to verify whether or not the dot-torrent files on Exhibit 2 correctly identified the associated content listed in Exhibit 2, i.e., the movie or television program appearing in the name of the dot-torrent file.

4. The information regarding the dot-torrent file, content file, and content verification reflected in Exhibit 2 was stored in the normal course of business in BayTSP's business records, with which I am familiar, and was retrieved at my direction.

1 I declare under penalty of perjury under the laws of the United States of
2 America that the foregoing is true and correct.

3 Executed on September 11, 2009.

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6 Mark Ishikawa
7 Chief Executive Officer
8 BayTSP, Inc.
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